

Before the
Federal Communications Commission
Washington, D.C.

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FCC MAIL ROOM

In the Matter of)

Advance Television Systems)

and Their Impact Upon the)

Existing Television Broadcast)

Service)

MM Docket No. 87-268

FCC 96-317

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COMMENTS OF D LINDSEY COMMUNICATIONS

I. Introduction

I. D Lindsey Communications, is the Licensee of LPTV Station K67GZ (Channel 67) located in Temecula/Rainbow California. Although our station is very new, it is operating 24 hours a day, providing local and network programming and has received much local community support. D LINDSEY COMMUNICATIONS hereby submits its comments in the above referenced proceeding.

II. Present Situation

II. At present, the FCC's proposed plan would provide implementation for Advanced television, or Digital Television (DTV), to reclaim spectrum, and provide a new format for television viewing. The implementation provides for the assignment of a second television channel to each and every full service television station in the United States to simultaneously broadcast a DTV signal. The effects of this proposal, if implemented, would wipe out the existence of our LPTV station operating on Channel 67, thus ending any local Low or Full Power local television service to our community. Furthermore, this proposal would fully eliminate 40-50 percent of the LPTV and TV translators in America. Should the

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NAB's Frequency plan be implemented, 80-90 percent of the LPTV and translators would be wiped out.

III. Analysis and Comment

III. This plan is fatally flawed in many ways, the first and foremost is for not dealing fairly with America's LPTV and Translator stations. These stations provide a unique programming service that (in many cases) serve rural community needs for local information and community oriented programming - programming that is not found anywhere else. The value of this diversity of programming, the tremendous capital investment, and the significant loss of jobs must not be overlooked or taken lightly. For those three reasons alone, LPTV Station's truly serve the public's interest, convenience and necessity.

This current plan is poor policy for the public, and for full power and LPTV Broadcasters as well, and we (the public & broadcasting community) deserve better. Has the public demanded a new Television format? More channels? This commenter is not aware of any such demands. We have friends who still don't even own a VCR, and the one's that do, still haven't figured out how to program the clock! We have become a society that is focused on speed, i.e. fast food, ATM machines, Fax machines etc. But the average American does not care about quality. Just look at the success of the fast food industry...the public wants it fast, cheap. Digital television won't be either of those.

The goal to reclaim spectrum at lightning speed, is arbitrary and capricious action by the FCC. The Commission has made no showing for it's basis, or even the need to reclaim spectrum. Auctions are the goal, but they are just putting every bit of spectrum into the hands of big business.

If anything, Television and LPTV Broadcasters need more spectrum, not less, if they are going to compete with an ever fragmented market place, vying for the public's attention. Broadcasters presently face competition from VCR movie rentals, CD ROMS, and an even bigger time diverter...the Internet. Direct satellite broadcasts, which accounts for 10-15 percent of the viewing choices in the United States and is growing daily. This includes both 18" direct broadcast digital systems and large C band dishes. Cable television systems account for 60-70 percent of the television households in the United States.

Cable television will determine the rate of conversion to DTV television sets. Most homes will never know that a new standard has arrived, and cable TV with their programming decisions will guide the consumer towards the purchase of a new DTV set, or not.

IV. Reject Present Proposal

The present proposals must be rejected. No plan for DTV should be adopted unless it meets the following minimal tests:

1. The plan must be voluntary, rather than coercive, for consumers and broadcasters alike.
2. It must accommodate all existing television stations, including the nation's almost 2,000 low power television stations, on an equitable and fair basis.
3. It must preserve universal, free, over-the-air television for all Americans.
4. And it should not adversely impact the national economy.

The present proposals fail to meet all four of these tests. The beneficiaries to the current plan are the foreign television manufacturers, the large commercial enterprises that wish to monopolize broadcasting, and the politicians who have an appetite for more money. The nation's economy, the public, and broadcaster's are in the end, at the losing end of the TV set.

V. Proposed Solutions

I urge the Commission not to take any spectrum away from broadcasters. Especially, channels 60 through 69, 50 thru 59, and 2 through 6. There is just no need for this, even after the DTV transition. LPTV stations should also be included in the proceeding, even to the extent of being allowed to upgrade to DTV status.

Furthermore, I urge the Commission to adopt the following recommendations for technical rule changes:

1. Allow LPTV stations to increase their power to the level required to maintain a 15 dB relationship with full power stations in their broadcast areas. This will open many adjacent UHF channels to which displaced LPTV stations could relocate. It would also conform with LPTV rules to those for full power stations which limit effective radiated power, but not transmitter power.
2. Allow LPTV stations to relocate to current oscillator, aural image, and intermodulation channels at their own risk. That is if the relocation causes intolerable interference to full power station viewers, the LPTV station would have to modify its operations or

go off the air. The likely hood of that is rare, in fact the reverse would be more likely to occur...DTV stations interfering with analog LPTV stations.

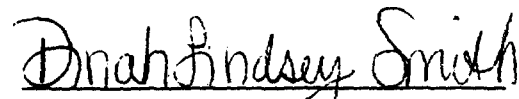
3. Abolish the FCC's zero tolerance policy for LPTV broadcasters and allow reasonable interference in the LPTV Grade B contour, as has always been allowed for full power stations. Looser tolerance standards are needed to save the numerous LPTV broadcast stations if there is a DTV transition.

VI. Conclusion

Whatever plan is eventually adopted, I urge the Commission to include a plan that would save LPTV stations. We provide a programming service that is not found anywhere else. The value of this diversity of programming, the tremendous capital investment, and the significant loss of jobs must not be overlooked. Please don't under estimate the power, of Low Power Television. We truly serve the public's interest, convenience and necessity...and we must be preserved.

Respectfully submitted,

D LINDSEY COMMUNICATIONS


DINAH LINDSEY SMITH, OWNER